

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hoi Shan Kwan et al.
Serial No. : 10/797,668
Filed : March 10, 2004

Art Unit : 1634
Examiner : Jeanine Anne Goldberg
Confirmation No: 4157

Title : AUTHENTICATION OF BIOLOGIC MATERIALS USING DNA-DNA
HYBRIDIZATION ON A SOLID SUPPORT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed March 13, 2006, applicants elect (i) the invention of Group I, i.e., claims 1-15 and 29-41, drawn to a method for preparing an array and method of using the array, and (ii) the combination of SEQ ID NOs: 9 and 13, which, as specific primers, amplify a variable region. These two primers are listed in the specification, page 17, Table 1. The election is made with traverse.

More specifically, Applicants request that a combination of SEQ ID NO: 9 with one of SEQ ID NOs: 14-16 (all listed in the specification, page 17, Table 1) be examined concurrently for the following reasons.

First, SEQ ID NO: 9 and 13-16 are not "unrelated to one another." All of them are fragments of the rRNA Gene ITS1 regions. See, e.g., the specification, page 25, paragraph [0066].

Second, according to MPEP 803.04,

It has been determined that normally ten sequences constitute a reasonable number for examination purposes. Accordingly, in most cases, up to ten independent and distinct nucleotide sequences will be examined in a single application without restriction. In addition to the specifically selected sequences, those sequences which are patentably indistinct from the selected sequences will also be examined.

As SEQ ID NOs: 9 and 13-16 are only 5 nucleotide sequences, Applicants request that all of them be examined concurrently.

Applicant : Hoi Shan Kwan et al.
Serial No. : 10/797,668
Filed : March 10, 2004
Page : 2 of 2

Attorney's Docket No.: 17329-002001 / 04F050US

Enclosed is a Petition for One Month Extension of Time. The fees in the amount of \$60 are being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges to deposit account 06-1050 referencing attorney docket 17329-002001.

Respectfully submitted,

Date:May 12, 2006

/Jianming Hao/

Jianming Hao, Ph.D.
Reg. No. 54,694

PTO Customer No. 26161
Fish & Richardson P.C.
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21328314.doc